THE HON'BLE MR JUSTICE V.V.S.RAO

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WRIT PETITION No.1623 of 2006

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Dated:30.01.2006

Between:

A.Kondanda Ramulu S/o.Balram
r/o.Remaddala village, Panugal Mandal, Mahaboobnagar District

..... PETITIONER

AND

The District Collector, Mahaboobnagar District at Mahaboobnagar,

and others.

.....RESPONDENTS

THE HON'BLE MR JUSTICE V.V.S.RAO

–

WRIT PETITION No.1623 of 2006

ORDER:

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The petitioner is a resident of Remaddula Village of Pangal Mandal in Mahaboobnagar District. On an application made by the fifth respondent and others, the fourth respondent granted building permission for construction, presumably under Section 121 of the Andhra Pradesh Panchayat Raj Act, 1994 (for short 'the Act'). Aggrieved by the same, the petitioner filed the instant writ petition.

It is the case of the petitioner that the land in Survey No.385 (admeasuring Ac.1.27 guntas), Survey No.396 (admeasuring Ac.2.26 guntas) and Survey No.387 (admeasuring Ac.2.22 guntas) is Government land and the Gram Panchayat cannot permit the construction thereon. Though the permission granted by the Gram Panchayat on 14.12.2005 along with the plan, is annexed to the writ petition, no material is placed before this Court to show that the fifth respondent and others were permitted to make constructions in Survey Nos.385, 396 and 387. However, the

learned Counsel for the petitioner vehemently asserts that permission was granted to the fifth respondent for construction in the Government land. This is a disputed question of fact and in the absence of any material, even *prima facie,* the matter cannot be considered.

The Writ Petition is therefore, dismissed. No costs.

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(V.V.S.RAO, J)

30.01.2006

Note: Issue C.C in one week.

B/o.

vs